

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EMMITT GRIER JR.

PLAINTIFF

V.

ERIE COUNTY DISTRICT ATTORNEY,
COMMONWEALTH OF PENNSYLVANIA,
OFFICE OF THE PROTHONOARY

DEFENDANT

CIVIL ACTION

NO.#05-5 ERIE

FILED

'06 FEB 28 A10:39

CLERK
U.S. DISTRICT COURT

REQUEST FOR EXTENSION OF TIME TO JUDGE'S ORDER

To: The Honorable Judge of the said court; Judge Susan Paradise Baxter,

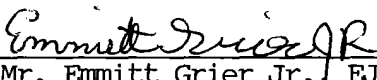
Please accept this letter as a motion in notice and inquiry into the Defendant Erie County District Attorney's Office having filed a Motion to Dismiss (Doc.#30) and brief thereof.

Plaintiff wish to give the court notice on the fact that he (plaintiff) have not received the above referred to motion (Doc.#30) no brief in support or copies of said motions thereof.

Hence, with regards to the now courts order [Due date in response; February 14, 2006.] plaintiff is unable to respond directly to said motion.

As such, plaintiff is requesting an extension of the courts order, and to meanwhile be supplied with said motion and brief, where he may be able to formulate an appropriate response.

Respectfully Submitted


Mr. Emmitt Grier Jr. EJ-7879, Pro se Plaintiff
SCI-Mahanoy
301 Morea Road
Frackville, Pa. 17932

Date: 2-10-06

VERIFICATION

I Emmitt Grier Jr., hereby verify that I am the plaintiff as designated in the present Motion in Request for Extension of time to the Judge's order, and that the statements contained within the above cited petition are true and correct to the best of my knowledge. I understand that any false statements are subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

CERTIFICATION OF SERVICE

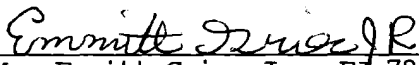
I Emmitt Grier Jr., hereby certify that I am this day, 2-10-06, am serving a true and correct copy of the forgoing Motion in Request for Extension of time to the Judge's order, on the below listed person(s)/Agency in the manner of service which satisfies the requirements of Fed.R.Civ.P. 5.:

SERVICE FIRST CLASS MAIL ADDRESSED AS FOLLOWING:

Ms. Susan Paradise Baxter
Chief United States Magistrate
United States District Court
Western District of Pennsylvania
17 South Park Row, Room A280
Erie, Pa. 16501

Ms. Mary Lynch Friedline
Senior Deputy Attorney General
Office of the Attorney General
564 Forbes Ave., Manor Complex
Pittsburgh, Pa. 15219

Respectfully Submitted


Mr. Emmitt Grier Jr., EJ-7879, Pro se Plaintiff
SCI-Mahanoy
301 Morea Road
Frackville, Pa. 17932

Date: 2-10-06